

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

KEITH HARRIS,	:	CIVIL ACTION
Petitioner	:	
	:	
v.	:	NO. 11-7750
	:	
M. WENEROWICZ, et al.,	:	
Respondents	:	

ORDER

AND NOW, this 31st day of January, 2013, upon careful and independent consideration of the pleadings and record herein, and after review of the thorough and well-reasoned Report and Recommendation of the Honorable Thomas J. Rueter, United States Magistrate Judge, it is hereby **ORDERED** that:

1. The petitioner's objections are **OVERRULED** as meritless;¹
2. The Report and Recommendation is **APPROVED** and **ADOPTED**;
3. The petition for a writ of habeas corpus is **DISMISSED**;
4. Petitioner's request for discovery (Document # 6) is **DENIED**; and
5. A certificate of appealability is not granted.

BY THE COURT:

/s/ Lawrence F. Stengel
LAWRENCE F. STENGEL, J

¹ This petition is clearly untimely. The petitioner has presented nothing to refute that finding. His claim of extraordinary circumstances preventing him from filing a timely petition provides him no relief. Finally, his allegations do not support a finding that the statute of limitations should be equitably tolled. See Holland v. Florida, 130 S.Ct. 2554, 2562 (2010).